

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 11/3/2005

2 Serial/Patent # 10/044,483

3 Please refund the following fee(s):

4 PAPER
NUMBER

5 DATE
FILED

6 AMOUNT

Filing

\$

Amendment

\$

Extension of Time

\$

Notice of Appeal/Appeal

\$

☒ Petition

10/21/05

\$ 500

Issue

\$

Cert of Correction/Terminal Disc.

\$

Maintenance

\$

Assignment

\$

Other

\$

7 TOTAL AMOUNT
OF REFUND

\$

8 TO BE REFUNDED BY:

Treasury Check

Credit Deposit A/C #:

9 02--2666

10 REASON:

Overpayment

Duplicate Payment

☒ No Fee Due (Explanation):

PET TREATED UNDER 1.181-NO FEE

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: D. WOOD

TITLE: SR Pet Atty

SIGNATURE: _____

PHONE: _____

OFFICE: _____

THIS SPACE RESERVED FOR FINANCE USE ONLY:

APPROVED: [Signature]

DATE: 11/7/05

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



Our Ref. No.: 012302.P021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:)
Patrice Brachat) Examiner: Paresh H. Patel
Serial No. 10/044,483) Art Group: 2829
Filed: January 11, 2002)
For: **ELECTROMAGNETIC PROBE**)

Mailstop – PETITION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

PETITION TO REVIVE PURSUANT TO 37 CFR § 1.137(a)

Applicant hereby petitions to revive the above-identified application on the grounds that the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unavoidable.

In particular, on September 12, 2005, Applicant's attorney of record received, a corrected Notice of Allowability, which was mailed September 6, 2005.

Inasmuch as Applicant had not previously received a Notice of Allowance or Notice of Allowability, the undersigned checked the status of the application using the PAIR system. As a result of this check, which took place September 14, 2005, it was determined that a Notice of Allowance was mailed to Suite 700, 25 Metro Drive, San Jose, CA 95110. Applicant notes that the Notice of Allowance was mailed November 10, 2004 to the incorrect address and not the address of the attorneys of record. As a result of such mailing to the incorrect address, neither Applicant, nor Applicant's attorneys, received the Notice of Allowance.

Accordingly, Applicant submits that it has been demonstrated that the entire delay in filing the required reply, that is, payment of the issue fee, from the due date for the reply until the filing of this Petition was unavoidable.

Adjustment date: 11/07/2005 AKELLEY
10/25/2005 CNGUYEN3 00000022 10044483
04 FC:1452 -500.00 OP

10/25/2005 CNGUYEN3 00000022 10044483
04 FC:1452 500.00 OP

10/044,483

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Repln. Ref: 11/07/2005 AKELLEY 0011462100
DAH:022666 Name/Number:10044483
FC: 9204 \$500.00 CR